

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office AUG 20 1993
Returned to applicant for correction SEP 27 1993
Corrected application filed NOV 30 1993
Map filed DEC 09 1993

The applicant CRSS Capital Cogeneration, Inc.
Suite 900, 1177 West Loop South, of Houston, Texas 77027

hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) April 15, 1986, a Delaware Corporation

1. The source of the proposed appropriation is Underground
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.2 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Industrial (cooling)
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under No. 12. "Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point NE 1/4 NW 1/4 Section 28, T.24S., R.61E., M.D.B.&M. or at a point from which the N 1/4 of said Section 28 bears North 45 degrees, 02 Minutes, 08 Seconds East a distance of 932.8 feet.

6. Place of use Section 31, Township 24 South, Range 59 East, M.D.B.&M., Clark County, Nevada. The place of use is a proposed site for a natural gas fired power generation facility. The site is on public land under the administration of the Bureau of Land Management. The site is under long term right of way grant to Kern River Gas Transmission Company. Applicant has executed an agreement with Kern River and the agreement is under review by the BLM to grant the applicant access to the site for construction of a power generation facility.

7. Use will begin about January 1 and end about December 31, of each year.

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled well, pump and distribution system appropriate for the project.

9. Estimated cost of works.....\$50,000.....

10. Estimated time required to construct works.....2 years.....
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use.....7 years.....

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:
A water well with pump and storage facilities will be constructed to provide approximately 50 acre feet per year of non-potable cooling water for a planned natural gas fired peaking electric generation facility. Estimated requirements for a single 140 megawatt generating facility are approximately 25 acre feet per year. Four 140 MW units in total are planned, each commencing operation in 1997, 1998, 1999 and 2000 for a combined requirement in 2000 of approximately 100 acre feet per year. Applicant has submitted a companion application No. 59171 for 50 acre feet per year from the Hidden Valley.

By s/William L. Robey
William L. Robey
Suite 900, 1177 West Loop South
Houston, Texas 77027

Compared...bc/bc.....

Protested.....

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be filed on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, _____,
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this.....day of.....
A.D.....

.....
State Engineer

WITHDRAWN BY APPLICANT AUG 05 1996
[Signature]
STATE ENGINEER
(O)-2145 (Rev. 9-89)